

Attorney for Plaintiff and Counter-Defendant Andrew Sawyer

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

### Defendant and Counter-Plaintiff.

**DEFENDANT ANDREW SAWYER'S  
SUPPLEMENTAL RESPONSES TO  
COUNTERCLAIM PLAINTIFF'S FIRST  
REQUESTS FOR PRODUCTION OF  
DOCUMENTS: VERIFICATION**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff and Counter-Defendant Andrew Sawyer (“Sawyer”), by and through counsel, hereby supplements his responses and objections to Defendant and Counter- Plaintiffs’ First Requests For Production of Documents to Counterclaim Defendants as follows:

## GENERAL OBJECTIONS

The following General Objections apply to every paragraph of the production requests:

1. Counter-Defendant objects to any request that calls for privileged information, including, without limitation, information protected by the attorney-client privilege.

2. Counter-Defendant objects to any request that calls for information prepared in anticipation of litigation or for trial absent a showing of substantial need by Counter-Plaintiffs.

3. Counter-Defendant objects to any request that calls for the production of any information containing or reflecting the mental impressions, conclusions, opinions and/or legal theories of any attorney for Counter-Defendant, on the grounds that such information is protected by the attorney work product doctrine.

4. Counter-Defendant objects to any request that is overly broad, unduly burdensome, harassing, duplicative or which requests information already in the possession of Counter-Plaintiffs or which can be easily accessed by Counter-Plaintiffs without undue expense or trouble.

5. Counter-Defendant objects to any request that calls for information which is neither relevant to the subject matter of the pending Complaint nor reasonably calculated to lead to the discovery of admissible evidence in connection with the pending Complaint.

6. Counter-Defendant objects to any request, and to every "definition" or "instruction," that seeks to impose obligations beyond those required by the Federal Rules of Civil Procedure, as reasonably interpreted and supplemented by local court rules.

7. Counter-Defendant reserves all objections as to the competence, relevance, materiality, admissibility, or privileged status of any information provided in response to these requests, unless Counter-Defendant specifically states otherwise.

8. Counter-Defendant objects to any request to the extent it seeks information from former directors, officers, employees, agents, partners, representatives, and attorneys of Counter-Defendant, which such persons are not under the control of Counter-Defendant.

9. Counter-Defendant objects to any request to the extent it seeks disclosure of

proprietary and/or confidential business information of any business or operation.

10. Counter-Defendant's general objections are applicable to, and included in, all specific objections and responses set forth below.

### SPECIFIC RESPONSES

#### Request for Production No. 1:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought.

#### Request for Production No. 2:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

#### Request for Production No. 3:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 4:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 5:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 6:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 7:

In response to this request, Counter-defendant Sawyer invokes his rights against self-

incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 8:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought.

Request for Production No. 9:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 10:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his

possession, custody, or control.

Request for Production No. 11:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 12:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 13:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 14:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 15:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought.

Request for Production No. 16:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought.

Request for Production No. 17:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his

possession, custody, or control.

Request for Production No. 18:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 19:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 20:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.



Request for Production No. 21:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 22:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 23:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought.

Request for Production No. 24:

The request is not directed to or applicable to Counter-defendant Sawyer.

Request for Production No. 25:

The request is not directed to or applicable to Counter-defendant Sawyer.

Request for Production No. 26:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 27:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 28:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 29:

In response to this request, Counter-defendant Sawyer invokes his rights against self-

incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 30:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 31:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 32:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and

will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

Request for Production No. 33:

In response to this request, Counter-defendant Sawyer invokes his rights against self-incrimination pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, as well as pursuant to Article 1, Section 19 of the Missouri Constitution, and on that basis objects to and will not provide the information sought. Without waiving the objection, Counter-defendant Sawyer states that he is unaware of any records responsive to the request that are in his possession, custody, or control.

DATED: August 24, 2018

GEORDIE DUCKLER, P.C.


By: s/ Geordie Duckler  
Geordie Duckler, OSB #873780  
Attorney for Plaintiff and Counter-Defendant Andrew Sawyer

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Attorney for Plaintiff and Counter-Defendant Andrew Sawyer

VERIFICATION OF SUPPLEMENT TO REQUEST FOR PRODUCTION RESPONSES

I believe, based on reasonable inquiry, that the foregoing supplemental responses are true and correct to the best of my knowledge, information and belief. I verify under penalty of perjury that the foregoing is true and correct.

DATED: August 26<sup>th</sup>, 2018

By:   
Andrew Sawyer

1 **CERTIFICATE OF SERVICE**

2 I certify that on the 27<sup>th</sup> day of August, 2018, the foregoing DEFENDANT ANDREW  
3 SAWYER'S SUPPLEMENTAL RESPONSES TO COUNTERCLAIM was served via U.S.

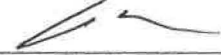
4 Mail on the following:

5 Martina Bernstein, MartinaB@petaf.org  
6 Marissa Lauren Curran, mcurran@polsinelli.com  
7 Jared S. Goodman, JaredG@petaf.org  
8 James P. Martin, jmartin@polsinelli.com  
9 Kelly J. Muensterman, kmuensterman@polsinelli.com  
10 *Attorneys for Defendants/Counter-Claimants*  
11 *People for the Ethical Treatment of Animals, Inc.*  
12 *and Angela Scott*

13 DATED this 27<sup>th</sup> day of August, 2018

14 **GEORDIE DUCKLER, P.C.**

15 By:

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18 Georgie Duckler, OSB No. 873780  
19 Attorney for Plaintiff/Counter-Defendant  
20 Andrew Sawyer  
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